

**FILED**

5/23/2013

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

M. DAVID J. MALAND, CLERK  
U.S. DISTRICT COURT  
By \_\_\_\_\_  
DEPUTY

UNITED STATES OF AMERICA

v.

TERRY WILSON GARRETT (1)  
ERIC ATOY ROBERSON (2)

§  
§ No. 1:13CR 55  
§ Judge Hartfield  
§  
§  
§

**INDICTMENT**

THE UNITED STATES GRAND JURY CHARGES:

**Count One**

Violation: 21 U.S.C. § 841(a)(1)  
(Conspiracy to Possess with the Intent to  
Distribute a Controlled Substance  
(Cocaine HCL)).

On or about September 9, 2011, in the Eastern District of Texas and elsewhere,  
**Terry Wilson Garrett and Eric Atoy Roberson**, defendants, knowingly and  
intentionally conspired and agreed with each other, and with persons known and  
unknown to the Grand Jury, to possess with the intent to distribute five hundred (500)  
grams or more, but less than five (5) kilograms, of a Schedule II controlled substance,  
namely, a mixture or substance containing a detectable amount of cocaine, in violation of  
21 U.S.C. § 841(a)(1).

All in violation of 21 U.S.C. § 846.

**NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE**  
**Criminal Forfeiture Pursuant to 21 U.S.C. §§ 853 and 881**

Upon conviction of the controlled substance offense alleged in Count One of this indictment, **Terry Wilson Garrett** and **Eric Atoy Roberson**, defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting, or derived from, proceeds obtained directly, or indirectly, as a result of the said violation, and any property used, or intended to be used in any manner or part, to commit or to facilitate the commission of the said violation, including but not limited to the following:

**MONEY JUDGMENT**

A sum of money equal to twenty-three thousand five-hundred dollars (\$23,500.00) in United States currency, representing the amount of proceeds obtained as a result of the offense alleged in Count One, conspiracy to possess with the intent to distribute five hundred (500) grams or more, but less than five (5) kilograms, of a Schedule II controlled substance, namely, a mixture or substance containing a detectable amount cocaine, for which the defendants are jointly and severally liable.

**AUTOMOBILES**

1. A Chevrolet Tahoe, grey in color, bearing Louisiana License Plate VHL323 and Vin number 1GNEC13T81J227903, which is registered to Trina Monique Montgomery & Eric Atoy Roberson, 315 Union Street, Morgan City, LA 70380
2. A Chevrolet Truck, white in color, bearing Louisiana License Plate X372558, and Vin number 1GCEC19X69Z182539, which is registered to Terry W Garrett, 512 Bowman Street, Morgan City, LA 70380

If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty.

It is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property described above.

By virtue of the commission of the felony offense charged in this indictment by the defendants any and all interest the defendants have in the above-described properties is vested in the United States and hereby forfeited to the United States pursuant to 21 U.S.C. § 853 and/or 881.

A TRUE BILL

CAJ  
GRAND JURY FOREPERSON

JOHN M. BALES  
UNITED STATES ATTORNEY

Baylor Wortham  
BAYLOR WORTHAM  
Assistant United States Attorney

May 23, 2013  
Date

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FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

UNITED STATES OF AMERICA

v.

TERRY WILSON GARRETT (1)  
ERIC ATOY ROBERSON (2)

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No. 1:13CR 55

Judge \_\_\_\_\_

**NOTICE OF PENALTY**

**Count One**

Violation: 21 U.S.C. §§ 841(b) and 846

Penalty: (Cocaine Hydrochloride)

If 5 kilograms or more of cocaine - not less than 10 years and not more than life imprisonment, a fine not to exceed \$10 million, or both - supervised release of at least 5 years, but not more than life;

If 500 grams or more, but less than 5 kilograms of cocaine - not less than 5 years and not more than 40 years imprisonment, a fine not to exceed \$5 million, or both, and supervised release of at least 4 years, but not more than life;

If less than 500 grams of cocaine - not more than 20 years imprisonment, a fine not to exceed \$1 million, or both, and supervised release of at least 3 years, but not more than life.

Special Assessment: \$ 100.00